

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/487,239

REMARKS

Claims 2-11 are all the claims pending in the application. Applicants thank the Examiner for indicating that claims 6 and 8 contain allowable subject matter. Applicant rewrites claim 6 into independent form so as to bring these claims into condition for allowance. Also, Applicants add claims 9-11 to further define the invention as discussed in further detail below.

Claims 1 and 2 are rejected under 35 U.S.C. § 102(b) as being anticipated by JP 04-126353 (Abstract).

Claims 1-4 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tanaka et al. (5,772,884) in view of Casey et al. (5,759,669) or Pluyter et al. (5,248,461).

Claims 1-5 and 7 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Dauber et al. (5,916,671) in view of Casey et al. (5,759,669) or Pluyter et al. (5,248,461).

Analysis

Applicant amends claim 3 into independent form, being directed to a laminate for forming a space to hold an adsorbent. The laminate comprises a UHPE film and a PTFE film. The porous film has a structure in which ultra high molecular weight polyolefin particles are linked together, forming pores among them. This structure is discussed at page 8, lines 3-15 of the specification. The structure can be confirmed by a scanning electron microscope as discussed at page 4, lines 11-18.

JP 4-126353 discloses a composite film comprising an ultra-high molecular weight polyethylene porous layer and a polytetrafluoroethylene (PTFE) porous layer. However, there is no disclosure directed to the linking of polyolefin particles having pores.

Wey In JP 4-126353, the polyethylene porous layer is formed by mixing ultra-high molecular weight polyethylene (UHPE) into the organic solvent. On the other hand, the polyethylene porous

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/487,239

layer according to the present invention is formed based on the paste mixture, not solvent, as discussed on page 6 line 14 to page 7, line 1. So it can be expected that the polyethylene porous layer in JP 4-126353 does not have a structure as claimed in claim 3 when viewed microscopically.

Tanaka et al. (US 5772884) discloses a PTFE porous film suitable for the air filter. In column 4, line 34 to 67, Tanaka discloses a laminate of the non-woven fabrics, woven products, or meshes of polyolefin and the PTFE porous film. However, there is no disclosure that the PTFE porous film is laminated on the ultra-high molecular weight polyethylene porous layer.

dmp Casey et al. (US 5759669) is directed to the ceramic green sheet as set forth in column 6, line 34 to 38, and never refers to the claimed invention.

dmp Pluyter et al. (US 5248461) relate to the method for manufacturing an ultra-high molecular weight polyethylene film. The method is directed to mixing the ultra-high molecular weight polyethylene into solvent, removing solvent, and stretching as described in the whole content. Thus, this method is very similar to that described in JP 4-126353. Thus, it can be expected that the polyethylene porous layer in Pluyter et al. does not have a structure according to the present invention if one were to view it microscopically.

dmp Dauber et al. (US 5916671) relate to the gasket employed for the disc drive of the computer, etc. Although a PTFE porous film is used, there is no disclosure to laminate this film on the ultra-high molecular weight polyolefin or polyethylene porous film.

In view of the foregoing, none of the cited references, whether taken alone or in hindsight, teaches or suggests the claimed invention having the structure according to claim 3. Thus, claim 3 is patentable.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Appln. No. 09/487,239

The remaining rejections are directed to the dependent claims. Applicants submit that these claims are patentable for at least the same reasons as claim 3, by virtue of their dependency therefrom.

Finally, Applicants add claims 9-11 to further define the ultra high molecular weight polyolefin porous film. These claims are patentable for at least the same reasons as allowable claim 6, by virtue of their dependency therefrom.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

Applicant hereby petitions for any extension of time which may be required to maintain the pendency of this case, and any required fee, except for the Issue Fee, for such extension is to be charged to Deposit Account No. 19-4880.

Respectfully submitted,



Ellen R. Smith
Registration No. 43,042

SUGHRUE MION, PLLC
2100 Pennsylvania Avenue, N.W.
Washington, D.C. 20037-3213
Telephone: (202) 293-7060
Facsimile: (202) 293-7860

Date: May 2, 2002

Attorney Docket No.: Q57646

APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

Claim 1 is canceled.

The claims are amended as follows:

2. (Amended) A laminate according to claim [1] 3, wherein said ultra high molecular weight polyolefin porous film is an ultra high molecular weight polyethylene porous film.

3. (Amended) A laminate [according to claim 1] for forming a space to hold an adsorbent, which comprises an ultra high molecular weight polyolefin porous film and a polytetrafluoroethylene porous film,

wherein said ultra high molecular weight polyolefin porous film has a structure in which ultra high molecular weight polyolefin particles are linked together, forming pores among them.

5. (Amended) A container holding an adsorbent, said container being made of a laminate according to any one of claims [1] 2 to 4, and holding the adsorbent.

6. (Amended) A container holding an adsorbent, said container being made of a laminate which comprises an ultra high molecular weight polyolefin porous film and a polytetrafluoroethylene porous film [according to claim 5], wherein at least two laminates are joined.

Claims 9-11 are added as new claims.